

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UGI SUNBURY, LLC,

Plaintiff.

v.

A PERMANENT EASEMENT FOR
0.4308 ACRES, AND TEMPORARY
CONSTRUCTION AND ACCESS
EASEMENT FOR 0.4577 ACRES IN
THE BOROUGH OF SHAMOKIN
DAM, SNYDER COUNTY,
PENNSYLVANIA TAX PARCEL NO.
16-04-059,

DONALD D. PONTIUS and
GEORGIA A. PONTIUS, CO-
TRUSTEES OF THE DONALD D.
AND GEORGIA A. PONTIUS LIVING
TRUST,

BOROUGH OF SHAMOKIN DAM,

COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT
OF TRANSPORTATION,

and ALL UNKNOWN OWNERS,

Defendants.

ORDER

APRIL 24, 2018

In accordance with the accompanying Memorandum Opinion, **IT IS
HEREBY ORDERED** that:

No. 3:16-CV-00794

(Judge Brann)

1. Plaintiff's Motion to Exclude Defendant's Expert Report and Witness, ECF No. 62, is **DENIED**.
2. Defendant's Motion to Exclude Plaintiff's Expert Witness, ECF No. 66, is **DENIED**.
3. Defendant's Motion to Exclude Plaintiff's Lay Witnesses and Evidence, ECF No. 68, is **DENIED**.
4. Resolution of Defendant's Motion to Apply State Law, ECF No. 64, is **STAYED**.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge